

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VINCENT DUTKEVITCH, as now an	)	
adult, and SHARON DUTKEVITCH,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Civil Action No. 3:CV-10-690
	)	(Judge Bloch)
KING, SPRY, HERMAN, FREUND &	)	
FAUL, LLC; PITTSTON AREA SCHOOL	)	
DISTRICT; WEST SIDE AREA	)	
VOCATIONAL TECHNOLOGY SCHOOL;	)	
WILKES-BARRE CAREER TECHNOLOGY	)	
CENTER; ROSS SCARANTINO;	)	
MARGARET BOYT; GEORGE COSGROVE;	)	
ELIZABETH ELLIS; GLENNA M.	)	
HAZELTINE, LIU 18; THE BOARDS OF	)	
EDUCATION; GOVERNOR RENDELL;	)	
UNITED STATES OF AMERICA FEDERAL	)	
MIDDLE DISTRICT COURT;	)	
MAGISTRATE JUDGE THOMAS BLEWITT;	)	
PENNSYLVANIA HUMAN RELATIONS	)	
COMMISSION; PATTAN; and DOES, in	)	
their official and/or individual	)	
capacities,	)	
	)	
Defendants.	)	

O R D E R

AND NOW, this 5th day of May, 2010, upon consideration of Plaintiffs' Motion for Leave to Proceed In Forma Pauperis (document No. 2) filed in the above captioned matter on March 30, 2010,

IT IS HEREBY ORDERED that said Motion is GRANTED.

AND, further, this Court having reviewed the record in the above-captioned case, as well as the record in Civil Action Nos. 07-1672 and 09-1041, and having determined that the issues presented in

the present case arise out of the same body of operative facts that prompted the litigation in those prior cases,

IT IS HEREBY ORDERED that litigation in this matter is STAYED. Plaintiffs are ordered to notify the Court promptly of the outcome of their appeal in Civil Action No. 07-1672; upon such notification, the stay of litigation shall be vacated. For administrative purposes only, the Clerk of Court shall mark this matter as CLOSED.

Plaintiffs brought suit in the United States District Court for the Middle District of Pennsylvania against multiple defendants, including several named as defendants in this case, at Civil Action No. 07-1672 on September 12, 2007. The complaint in that case was dismissed by a Memorandum and Order issued by United States Magistrate Judge Thomas M. Blewitt on April 8, 2009.<sup>1</sup> Plaintiffs appealed this decision, and their appeal is currently pending before the United States Court of Appeals for the Third Circuit. Subsequent to this, Plaintiffs filed a second action in the Middle District arising out of the same body of operative facts at Civil Action No. 09-1041. By Order dated November 30, 2009, Judge Thomas I. Vanaskie stayed the proceedings in that case pending the outcome of the appeal at Civil Action No. 07-1672.

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<sup>1</sup> The parties had consented to the exercise of final authority over this case by Magistrate Judge Blewitt.

Plaintiffs have now filed a third lawsuit arising out of the same factual matrix. Therefore, in the interest of judicial economy, staying the proceedings in this case pending the outcome of Plaintiffs' appeal of Civil Action No. 07-1672 is appropriate, as it was at Civil Action No. 09-1041. .

s/Alan N. Bloch  
United States District Judge  
Sitting by Designation

cc: Vincent Dutkevitch  
Sharon Dutkevitch  
114 South Main Street, Rear  
Pittston, PA 18640  
(Forwarded certified mail, return receipt requested;  
and regular first class mail)